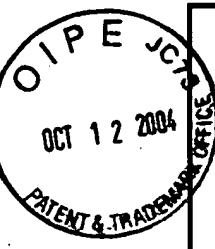


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



JW

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/705,717
		Filing Date	November 10, 2003
		First Named Inventor	Nelson et al.
		Group Art Unit	1725
		Examiner Name	
Total Number of Pages in This Submission (including this sheet)	9	Attorney Docket No.	1219.BYU.CN2

ENCLOSURES (check all that apply)

<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Appeal Communication: <input type="checkbox"/> Appeal Notice <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Reply Brief <input type="checkbox"/> Assignment with Cover Sheet <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Check in the amount of \$_____ <input type="checkbox"/> Credit card authorization in the amount of \$_____ <input type="checkbox"/> Declaration & Power of Attorney <input type="checkbox"/> Drawings ____ sheets <input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Extension of Time Request ____ month <input type="checkbox"/> Fee Calculation Table <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> Form 1449 <input type="checkbox"/> Copies of IDS References <input type="checkbox"/> Issue Fee Transmittal & Advance Order	<input type="checkbox"/> Maintenance Fee Transmittal ____ year <input type="checkbox"/> Missing Parts Response <input type="checkbox"/> Notification of Change of Attorney Address & Docket Number <input checked="" type="checkbox"/> Return Postcard <input type="checkbox"/> Revocation & Power of Attorney <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Other:
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Attorney for Applicant	David W. O'Bryant, Registration No. 39,793 MORRISS O'BRYANT COMPAGNI, P.C. 136 South Main Street, Suite 700 Salt Lake City, Utah 84101 (801) 478-0071 telephone; (801) 478-0076 facsimile		
Signature			Date <u>10/5/04</u>

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or Printed Name	David W. O'Bryant		
Signature			Date <u>10/5/04</u>



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Nelson et al.

SERIAL NO.: 10/705,717

FILING DATE: November 10, 2003

TITLE: FRICTION STIR WELDING USING
A SUPERABRASIVE TOOL

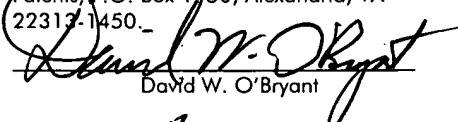
ART UNIT: 1725

EXAMINER:

DOCKET NO.: 1219.BYU.CN2

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UNDER 37 C.F.R. § 1.8

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10/5/2004
Date of Deposit

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.98(a)(1), enclosed is Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed, pursuant to 37 C.F.R. § 1.97 (b), within three months of the filing date of the application, within three months of the date of entry of the national stage set forth in § 1.491 or before the mailing date of a first Office action on the merits. Applicant requests that the references cited in the enclosed form PTO-1449 be made of record in the above-captioned application. While no representation is made that any of the references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned

attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no reference which is more relevant to the claimed invention (taken in its entirety) has been knowingly withheld.

In compliance with 37 C.F.R. § 1.98(d), the Applicant identifies the following application which is relied on in the above-captioned application for an earlier effective filing date under 35 U.S.C. § 120 and in which one or more Information Disclosure Statements were submitted that comply with 37 C.F.R. § 1.98(a)-(c). Copies of all PTO-1449 and PTO-892 forms that were made of record in the previous application identified below are enclosed herewith for reference, but copies of the references cited therein are not provided as permitted by 37 C.F.R. § 1.98(d).

<u>TITLE</u>	<u>SERIAL NO.</u>	<u>FILING DATE</u>
FRICITION STIR WELDING USING A SUPERABRASIVE TOOL	09/851,596	May 8, 2001

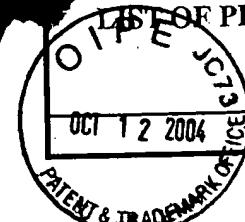
Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0881.

DATED this 5 day of October, 2004.

Respectfully submitted,



David W. O'Bryant
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LIST OF PRIOR ART CITED BY APPLICANT

OCT 12 2004

Sheet 1 of 3

Application Number	09/851,596
Filing Date	May 8, 2001
First Named Inventor	Nelson et al
Group Art Unit	1725
Examiner Name	Unknown
Attorney Docket	1219.BYU.NP2

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U.S. PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	5,611,479	March 18, 1997	Rosen			
AB	5,697,511	Dec. 16, 1997	Bampton			
AC	5,713,507	Feb. 3, 1998	Holt et al.			
AD	5,769,306	June 23, 1998	Colligan			
AE	5,794,835	August 18, 1998	Colligan et al.			
AF	5,813,592	Sep. 29, 1998	Midling et al.			
AG	5,971,247	Oct. 26, 1999	Gentry			
AH	5,971,252	Oct. 26, 1999	Rosen et al.			
AI	5,975,406	Nov. 2, 1999	Mahoney et al.			
AJ	6,045,027	April 4, 2000	Rosen et al.			
AK	6,045,028	April 4, 2000	Martin et al.			
AL	6,050,474	April 18, 2000	Aota et al.			
AM	6,050,475	April 18, 2000	Kinton et al.			
AN	6,051,325	April 18, 2000	Talwar et al.			
AO	6,070,784	June 6, 2000	Holt et al.			
AP	6,168,066 B1	Jan. 2, 2001	Arbegast			
AQ	6,168,067 B1	Jan. 2, 2001	Waldron et al.			
AR	6,173,880 B1	Jan. 16, 2001	Ding et al.			
AS	6,193,137 B1	Feb. 27, 2001	Ezumi et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
AT	EP 0 797 043 A2	Sep. 24, 1997	EP			
AU	EP 0 810 054 A1	Dec. 3, 1997	EP			
AV	EP 0 810 055 B1	Dec. 22, 1999	EP			
AW	EP 0 810 056 A3	Dec. 2, 1998	EP			
AX	EP 0 833 097 A2	April 1, 1998	EP			
AY	EP 0 867 254 A1	Sep. 30, 1998	EP			
AZ	EP 0 888 843 A1	Jan. 7, 1999	EP			
BA	EP 0 893 189 A2	Jan. 27, 1999	EP			
BB	EP 0 893 190 A2	Jan. 27, 1999	EP			
BC	EP 0 925 964 A2	June 30, 1999	EP			

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Sheet 2 of 3

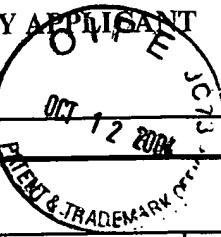
Application Number	09/851,596
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First Named Inventor	Nelson et al
Group Art Unit	1725
Examiner Name	Unknown
Attorney Docket	1219.BYULNP2

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	BD	EP 0 928 659 A1	July 14, 1999	EP				
	BE	EP 0 947 280 A1	Oct. 6, 1999	EP				
	BF	EP 0 968 788 A2	Jan. 5, 2000	EP				
	BG	EP 0 972 605 A2	Jan. 19, 2000	EP				
	BH	EP 0 985 483 A2	March 15, 2000	EP				
	BI	EP 0 992 314 A2	April 12, 2000	EP				
	BJ	EP 1 029 627 A1	August 23, 2000	EP				
	BK	EP 1 046 453 A2	Oct. 25, 2000	EP				
	BL	EP 1 048 390 A2	Nov. 2, 2000	EP				
	BM	EP 1 055 478 A1	Nov. 29, 2000	EP				
	BN	EP 1 057 572 A2	Dec. 6, 2000	EP				
	BO	EP 1 057 573 A2	Dec. 6, 2000	EP				
	BP	EP 1 057 574 A2	Dec. 6, 2000	EP				
	BQ	EP 1 057 575 A2	Dec. 6, 2000	EP				
	BR	EP 1 057 576 A2	Dec. 12, 2000	EP				
	BS	GB 2 306 366 A	May 7, 1997	GB				
	BT	WO 00/02698	Jan. 20, 2000	EP				
	BU	WO 00/02699	Jan. 20, 2000	US				
	BV	WO 00/02704	Jan. 20, 2000	US				
	BW	WO 00/03818	Jan. 27, 2000	AU				
	BX	WO 00/56497	Sep. 28, 2000	DE				
	BY	WO 93/10935	June 10, 1993	GB				
	BZ	WO 97/15462	May 1, 1997	NO				
	CA	WO 97/48517	Dec. 24, 1997	SE				
	CB	WO 98/13167	April 2, 1998	SE				
	CC	WO 98/45080	Oct. 15, 1998	SE				
	CD	WO 98/51441	Nov. 19, 1998	SE				
	CE	WO 98/58759	Dec. 30, 1998	GB				
	CF	WO 99/32254	July 1, 1999	SE				
	CG	WO 99/32255	July 1, 1999	US				
	CH	WO 99/33594	July 8, 1999	US				
	CI	WO 99/34951	July 15, 1999	SE				
	CJ	WO 99/39861	August 12, 1999	NO				
	CK	WO 99/52669	Oct. 21, 1999	GB				

LIST OF PRIOR ART CITED BY APPLICANT

Sheet 3 of 3



Application Number	09/851,596
Filing Date	May 8, 2001
First Named Inventor	Nelson et al
Group Art Unit	1725
Examiner Name	Unknown
Attorney Docket	1219.BYU.NP2

CL	WO 99/54081	Oct. 28, 1999	GB			
CM	WO 99/58288	Nov. 18, 1999	US			
CN	WO 99/65637	Dec. 23, 1999	JP			

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

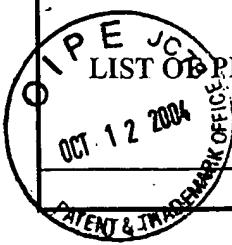
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Sheet 1 of 1



Application Number	09/851,596
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Examiner Name	
Attorney Docket	1219.BYU.NP2

U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,138,895	Oct. 31, 2000	Oelgoetz et al.			
	AB	6,053,391	April 25, 2000	Heideman et al.			
	AC	5,829,664	Nov. 3, 1998	Spinella et al.			
	AD	5,811,755	Sept. 22, 1998	McGee			
	AE	5,718,366	Feb. 17, 1998	Colligan			
	AF	4,144,110	Mar. 13, 1979	Luc			
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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
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	AO						
	AP						

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

	AR		
	AS		
	AT		

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Notice of References Cited	Application/Control No. 09/851,596	Applicant(s)/Patent Under Reexamination NELSON ET AL.	
	Examiner Zidia Pittman	Art Unit 1725	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-5,758,999	06-1998	Geise, Samuel C.	409/231
B	US-			
C	US-			
D	US-			
E	US-			
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

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N					
O					
P					
Q					
R					
S					
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NON-PATENT DOCUMENTS

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U	
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Notice of References Cited

Application/Control No.
09/851,596

Applicant(s)/Patent Under
Reexamination
NELSON ET AL.

Examiner
Zidia Pittman

Art Unit
1725

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U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,794,835	08-1998	Colligan et al.	228/13
	B	US-			
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